

REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

Claim rejections – 35 U.S.C. §103

Claims 1-18 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,065,053 to Nouri et al (“Nouri”) in view of U.S. Patent No. 6,851,105 to Coad et al. (“Coad”). Without conceding to the propriety of the rejection, applicants are amending independent claims 1, 7 and 13 to further clarify what is being claimed. Support for the amendment can be found at least in paragraph [0012] of the originally submitted application.

Nouri and Coad do not disclose or suggest every element claimed in independent claims 1, 7 and 13 as amended. For instance, Nouri and Coad fails to disclose, suggest or teach at least, “the server host executes the instructions in the command object without knowledge of the first data and the purpose of the command” claimed in claims 1, 7 and 13.

Nouri as understood by applicants discloses resetting a server. The cited passages Nouri appears to disclose recovery manager software that provides a microcontroller network command that has a communications protocol around the command to a server. While Nouri uses the terminology “encapsulated command” to describe its microcontroller network command that has the communications protocol around it, Nouri still fails to disclose an object having a command and first data in which, “the server host executes the instructions in the command object without knowledge of the first data and the purpose of the command.” Rather, as it appears in Nouri’s column 14, lines 46-47, Nouri’s server knows what the command is for and accordingly powers-on the server.

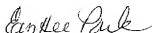
Coad is of no help in that respect. Coad as understood by applicants discloses generating a pattern. The cited passages of Coad refer to the software development tool that supports the definition of a pattern. Coad in the Abstract discloses that the software development tool receives an indication of a pattern, generates software code reflecting the pattern, and stores identification information for the pattern. Thus, Coad also must have the knowledge and purpose of the pattern. Coad, therefore, also fails to disclose or suggest, "the server host executes the instructions in the command object without knowledge of the first data and the purpose of the command."

On the other hand, independent claims in the present application recite using a command pattern to encapsulate instructions. A command pattern as explained in the specification on page 3, paragraph [0012] is an object-oriented design pattern that describes a pattern for encapsulating instructions and data into a single object, called a command. A command can be passed around to different components of a software application, and then executed as needed. For example, components that receive a command can execute the command without knowledge of the data or the purpose of the command.

For at least the reasons set forth below, independent claims 1, 7 and 13, and their respective dependent claims 2-6, 8-12 and 14-18 at least by virtue of dependency, are not obvious over the cited references. The Examiner is, accordingly, respectfully asked to reconsider and to withdraw the rejection of claims 1-18 under 35 U.S.C. §103(a) and to allow claims 1-18.

This communication is believed to be fully responsive to the Office Action and every effort has been made to place the application in condition for allowance. A favorable Office Action is hereby earnestly solicited. If the Examiner believes a telephone conference might expedite prosecution of this case, it is respectfully requested that the Examiner call applicant's attorney at (516) 742-4343.

Respectfully submitted,



Eunhee Park
Registration No. 42,976

SCULLY, SCOTT, MURPHY & PRESSER, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343
EP:vh